

# **EXHIBIT 1**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE:

GENERAL MOTORS LLC IGNITION SWITCH LITIGATION

*This Document Relates to All Actions*

14-MD-2543 (JMF)

Hon. Jesse M. Furman

-----X

**NEW GM'S MOTION IN LIMINE NO. 7**

**MOTION IN LIMINE TO EXCLUDE ALL CLAIMS, EVIDENCE, AND  
ARGUMENT RELATING TO PUNITIVE DAMAGES CONTINGENT ON  
THE FORTHCOMING DECISION OF THE BANKRUPTCY COURT**

Contingent on the Bankruptcy Court's anticipated ruling regarding punitive damages, General Motors LLC ("New GM") moves for an order excluding all claims, evidence, and argument relating to punitive damages in the *Scheuer* case, in which plaintiff alleges an accident involving an Old GM vehicle that took place after the Bankruptcy Court entered a Sale Order approving the Sale Agreement under which New GM purchased assets and assumed certain specifically identified liabilities of Old GM (the "363 Sale"). New GM has filed briefing in the Bankruptcy Court explaining that, under the Sale Order, New GM is not and cannot be liable for punitive damages from accidents involving Old GM vehicles that occurred after the closing of the 363 Sale, regardless of whether such damages are based on Old GM or New GM conduct. New GM is filing this motion now given the deadlines for motions *in limine* in the *Scheuer* case and because the Bankruptcy Court has not yet issued its decision, though New GM anticipates that the Bankruptcy Court will rule on this question before trial in the *Scheuer* action.

If the Bankruptcy Court rules in New GM's favor, then plaintiff Scheuer—whose complaint is based on a post-363 Sale accident involving an Old GM vehicle—will not be able to recover any punitive damages from New GM. Therefore, contingent upon the Bankruptcy

Court's ruling, New GM moves to bar Scheuer from seeking to recover punitive damages, and from making any argument or introducing any evidence for the purpose of recovering punitive damages.

Dated: November 6, 2015

/s/ Richard C. Godfrey, P.C.

Richard C. Godfrey, P.C.

Andrew B. Bloomer, P.C.

KIRKLAND & ELLIS LLP

300 N. LaSalle

Chicago, IL 60654

Phone: 312-862-2000

Fax: 312-862-2200

richard.godfrey@kirkland.com

andrew.bloomer@kirkland.com

*Attorneys for Defendant General Motors  
LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 6, 2015, I electronically served the foregoing pleading using the CM/ECF system which will service notification of such filing to the email of all counsel of record in this action.

*/s/ Andrew B. Bloomer, P.C.*

Andrew B. Bloomer, P.C.